IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):   Jeffrey C. Smith and Jean-Christophe Bandini

Title: POLICY ENFORCEMENT IN A SECURE DATA FILE DELIVERY
SYSTEM

Application No.:	10/790,901	Filed:	March 1, 2004
Examiner:	Kari L. Schmidt	Group Art Unit:	2439
Atty. Docket No.:	127-0007-2	Confirmation No.:	2607

October 9, 2009

Mail Stop Appeal Briefs - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF (37 C.F.R. § 41.37)

This brief is in furtherance of the Notice of Appeal, timely filed and received in the
Office on March 9, 2009. A petition for extension of time is filed herewith (either as a separate
paper or constructively in accordance with 37 C.F.R. § 1.136(a)(3)) thereby extending the period
for filing this Appeal Brief until October 9, 2009.

Any fees required by this paper under 37 C.F.R. § 41.20(b)(2) are being provided as
directed in an electronic submission of this paper or in a transmittal letter accompanying this
paper. However, the Commissioner is hereby authorized to charge any deficiency in fees
required by this paper and any additional fees under 35 C.F.R. §§ 1.16, 1.17 or 41.20 which may
be required during the pendency of this application, and to similarly credit any overpayment, to
Deposit Account 50-0631.

REAL PARTY IN INTEREST

The real party in interest in this appeal is Axway Inc., the assignee of record, as
evidenced by the assignment recorded at Reel/Frame 022062/0244.

- 1 -

RELATED APPEALS AND INTERFERENCES

Known prior and pending appeals, interferences or judicial proceedings which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal include:

None.

STATUS OF CLAIMS

Claims 1-33 and 36-38 are pending. Claims 34 and 35 are cancelled. Claims 1-33 and 36-38 stand rejected and are the subject of this appeal.

STATUS OF AMENDMENTS

An amendment subsequent to the final rejection was filed on February 4, 2009. In an advisory action mailed February 12, 2009, that after final amendment was *refused* entry as requiring further consideration and/or search.

SUMMARY OF CLAIMED SUBJECT MATTER

Independent **claim 1** is directed to a computer readable medium useful in association with a computer which includes a processor and a memory. The computer readable medium includes computer instructions configured to cause the computer to assure adherence to a policy by a package to be delivered from a sender associated with an enterprise to one or more recipients through a computer network. The Summary, appearing at p. 3, line 7 to p. 5, line 16 of the application as filed, provides a basic, and illustrative, interplay between sender, recipients and exemplary computers, together with a general description of illustrative packages and policies.

Operation of the computer so programmed includes several aspects positively recited in the text of claim 1. In particular, in response to receipt of package data that is generated by the sender and which specifies the package, the computer applies a policy to the package wherein the policy is specified by policy data received from a policy authority of the sender. The policy authority includes a rule base associated with the sender enterprise. Thus, as presently claimed,

- 2 -

it is a sender-centric policy framework that informs policy determinations. Operation of the computer so programmed further includes determining whether the policy permits delivery of the package. Although the nature of a "package" and application of a "policy" thereto do not appear to be in substantial dispute, operation of a package manager 302 is summarized (relative to FIG. 3) at p. 8, line 23 to p. 9 line 13 and illustrative package structures are detailed in the section entitled "Package Structure" beginning at p. 18, line 20 and continuing through p. 23. Likewise, operation of a policy manager 308 is summarized (again, relative to FIG. 3) at p. 9, line 27 to p. 11 line 9 and illustrative realizations of such are policy manager are detailed in the section entitled "Policy Manager 308" beginning at p. 23, line 18 and continuing through p. 30.

Upon a condition in which the policy permits delivery of the package, operation of the computer so programmed further includes delivery of the package by a specific technique recited in the text of claim 1. In particular, the claim language recites (1) sending notification to the recipients wherein the notification includes package identification data; and (2) responsive to receipt of the package identification data from a particular one of the recipients, providing the particular recipient with access to the package. The delivery technique is described at p. 4, lines 1-9 and further explained, relative to an illustrative private URL-based embodiment at p. 9, lines 14-26.

Independent **claim 27** is directed to a computer program product encoded in one or more computer readable media. In particular, the program product includes instructions executable on one or more servers interposed between a sender and one or more recipients to apply a rule based policy associated with the sender's enterprise to a package to be delivered from the sender to one or more of the recipients. Claim 27 is of different scope than claim 1; however, the aforementioned Summary, appearing at p. 3, line 7 to p. 5, line 16, again provides a basic, and illustrative, interplay between a sender, recipients and exemplary computers, together with a general description of illustrative packages and policies.

The program product includes instructions that are further executable to determine whether the policy permits delivery of the package to a particular one of the recipients, and upon determination of a condition in which the policy permits delivery of the package, executable to initiate notification of the particular recipient. The notification includes package identification

- 3 -

data usable by the particular recipient to retrieve the package from at least one of the servers. The delivery technique is again described at p. 4, lines 1-9 and further explained, relative to an illustrative private URL-based embodiment at p. 9, lines 14-26.

Finally, independent **claim 30** is directed to a secure package delivery system. As presently claimed, the secure package delivery system includes (1) a service hosted on one or more servers and interposed between a sender and one or more recipients to apply a rule based policy associated with the sender's enterprise to a package to be delivered from the sender to one or more of the recipients; (2) a policy manager of the service; and (3) a delivery manager. Claim 30 is of different scope than claim 1 or claim 27; however, the aforementioned Summary, appearing at p. 3, line 7 to p. 5, line 16, once again provides a basic, and illustrative, interplay between a sender, recipients and exemplary computers, together with a general description of illustrative packages and policies. Furthermore, although the nature of a "package" and application of a "policy" thereto do not appear to be in substantial dispute, such terms will be understood as above.

The policy manager of the service is operable to determine whether the policy permits delivery of the package to a particular one of the recipients, and upon determination of a condition in which the policy permits delivery of the package, to initiate notification of the particular recipient. Operation of an illustrative policy manager 308 is summarized (relative to FIG. 3) at p. 9, line 27 to p. 11 line 9 and illustrative realizations of such are policy manager are detailed in the section entitled "Policy Manager 308" beginning at p. 23, line 18 and continuing through p. 30. The delivery manager is operable to transmit to the particular recipient a notification message that includes package identification data usable by the particular recipient to retrieve the package from the service. As before, such a delivery technique is described at p. 4, lines 1-9 and further explained, relative to an illustrative private URL-based embodiment at p. 9, lines 14-26.

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Ground 1: Rejection of claims 1-4, 8-22, 24-33 and 36-38 under 35 U.S.C. § 102(b) as anticipated by disclosure of PCT International Application Publication WO 99/05814 (hereinafter "*Dickinson*").

Ground 2: Rejection of claim 5 under 35 U.S.C. § 103(a) as unpatentable over *Dickinson* in view of US Patent 5,627,764 to Schutzman et al. (hereinafter "*Schutzman*").

Ground 3: Rejection of claims 6 and 7 under 35 U.S.C. § 103(a) as unpatentable over *Dickinson* in view of *Schutzman* and further in view of US Patent 5,771,355 to Kuzma. (hereinafter "*Kuzma*").

Ground 4: Rejection of claim 23 under 35 U.S.C. § 103(a) as unpatentable over *Dickinson* in view of *Kuzma*.

ARGUMENT

Ground 1: Rejection of claims 1-4, 8-22, 24-33 and 36-38 under 35 U.S.C. § 102(b) as anticipated by disclosure of PCT International Application Publication WO 99/05814 (hereinafter "*Dickinson*").

Claims 1-4, 8-10, 15-22, 24-25 and 36

Independent claim 1 and claims 2-4, 8-10, 15-22, 24-25 and 36 (which depend from claim 1) all stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Dickinson*. *Dickinson* and the present application are commonly-owned, and Applicants appreciate the broad interpretation afforded by the Office. Nonetheless and with respect, certain disclosure attributed to *Dickinson* by the Office, and relied upon in the appealed-from final rejection, appears to extend well beyond *Dickinson's* actual teaching.

To be sure, *Dickinson* discloses use of a flexible policy engine in connection with an SMTP relay for (amongst other things) restricting transmission of messages and/or in some cases encrypting and/or decrypting message traffic. *Dickinson* also discloses generation of notification messages based on a policy result. And finally, although some types of packages described in the present application may be distinguishable from the particular messages and encoding formats disclosed in *Dickinson*, Applicants will *assume arguendo* (solely for purposes of the present briefing) that *Dickinson's* messages fall within a broadest reasonable construction of the term "package." However, notwithstanding the foregoing, *Dickinson* simply does not disclose or suggest the invention(s) recited in claims claim 1 and claims 2-4, 8-10, 15-22, 24-25 and 36.

To understand why, one need go no further than the claim language. Indeed, after reciting (i) application of a sender-enterprise policy rule base to sender-generated package data and (ii) a delivery-permitting policy determination, **claim 1**, in pertinent part, requires that the recited computer instructions cause a computer to:

```
upon a condition in which the policy permits delivery of the
        package, deliver[] the package by:
        sending notification to the recipients wherein the
                notification includes package identification data; and
        responsive to receipt of the package identification data
                from a particular one of the recipients, providing the
                particular recipient with access to the package.
```

Thus, Applicant's claims clearly recite a technique wherein a notification that includes package identification data is sent to recipients and used in a protocol whereby access to the actual package data is provided to a particular recipient in response to receipt of package identification data from that particular recipient.

The Office simply misses the point by relying on usage (in *Dickinson*) of a "notification message" that may optionally be accompanied by the original message that triggered a policy-based notification. Indeed, *Dickinson's* "notification message" has nothing at all to do with the "`notification include[ing] package identification data`" recited in claim 1. Rather, claim 1 recites a medium that includes instructions configured to cause a computer to (amongst other things) (i) send notification (including package identification data) to recipients and (ii) provide a particular recipient with access to the package in response to receipt of that package identification data from that particular recipient. Independent claim 1 and claims 2-4, 8-10, 15-22, 24-25 and 36 (which depend from claim 1) are all allowable for at least this reason.

Although Applicant's have repeatedly pointed out the foregoing during prosecution, the Office strains to justify its interpretation of *Dickinson,* suggesting that it is entitled to so interpret under a "broadest reasonable interpretation" standard. With all due respect, no such standard governs either the evaluation of what a reference discloses under § 102 or the scope and content inquiry under § 103. Rather a "broadest reasonable interpretation" standard informs *construction of claims* during prosecution.

Applicants are confident that this Honorable Board is well versed of the requirement that an anticipatory reference must expressly or inherently disclose that for which it is relied upon and will not belabor the point with citations to authority. However, it is clearly improper for the Office to attribute disclosure to the applied references notwithstanding actual disclosure thereof, and it is ***clear legal error*** for the Office to dismiss Applicants' clear identification of specific deficiencies in reliance on inapplicable standard.

Finally, it is interesting that the Office seeks to rescue its untenable theory of anticipation by noting that *Dickinson*'s set of possible notification actions includes situations in which an original message *may be included with* the notification and then advancing the proposition that such disclosure may be interpreted as a framework in which a package is delivered by "sending notification to the recipients wherein the notification includes package identification data; and responsive to receipt of the package identification data from a particular one of the recipients, providing the particular recipient with access to the package." With respect, if *Dickinson*'s notification does in some situations *include* the original message (presumably the "package" in the Office's view), how exactly does *Dickinson* then provide the package identification data based retrieval protocol recited in claim 1? ... and why exactly would *Dickinson* do that, since the Office's theory necessarily requires that the original message has already been provided to the recipient with the notification? In short, the Office's *creative* extensions to *Dickinson*' disclosed techniques are in conflict with the actual disclosure thereof.

For any of the foregoing reasons, Applicants respectfully request that this Honorable Board reverse the present rejections and direct issuance of the improperly rejected claims.

Claims 27-29 and 37

Independent claim 27 together with claims 28, 29 and 37 (which depends from claim 27) also stand rejected under 35 U.S.C. § 102(b) as anticipated by *Dickinson*. Although claim 27 differs substantially in scope from claim 1, the Office's position is essentially the same. However, as with its rejection of claim 1, the Office's interpretation of *Dickinson's* "notification message" as a "notification includ[ing] package identification data usable by the particular recipient to retrieve the package from at least one

- 7 -

of the servers" is without legal basis. Once again, the Office relies on an inapplicable "broadest reasonable interpretation" standard. Once again, the Office's rejection constitutes clear legal error. And once again, the Office's extension of *Dickinson*' disclosed techniques (to include situations in which an original message included with a notification constitutes "the package") is in conflict with the actual disclosure of *Dickinson* and flatly inconsistent with the claims. Applicants respectfully request that this Honorable Board reverse the present rejections and direct issuance of the improperly rejected claims.

Claims 30-33 and 38

Independent claim 30 and claims 31-33 and 38 (which depend from claim 30) also stand rejected under 35 U.S.C. § 102(b) as anticipated by *Dickinson*. Although claim 30 differs substantially in scope from claims 1 and 27 (discussed above), the Office's reasoning follows the now familiar path.

Once again, one need go no further than the claim language itself to see the error. In particular **claim 30** recites a secure package delivery system that (amongst other things) includes:

> a **policy manager … operable** to determine whether the policy
> permits delivery of the package to a particular one of the
> recipients, and **upon determination of a condition in which
> the policy permits delivery of the package, to initiate
> notification of the particular recipient;** and
>
> a **delivery manager operable to transmit to the particular
> recipient a notification message that includes package
> identification data usable by the particular recipient to
> retrieve the package from the service.**

Thus, **claim 30** clearly recites a system in which a notification that includes package identification data is transmitted to a particular recipient and used in a protocol whereby, for a package for which delivery to a particular recipient is permitted in accord with operation of a policy manager, the particular recipient may use the received package identification data to retrieve the package from the service.

As before (and again without factual or legal basis), the Office interprets *Dickinson's* "notification message" as including "`package identification data usable by the particular recipient to retrieve the package from the service.`" Again, the Office relies on an inapplicable "broadest reasonable interpretation" standard. And again, the Office's rejection constitutes clear legal error. Finally, the Office's extension of *Dickinson'* disclosed techniques (to include situations in which an original message included with a notification constitutes "the package") is once again in conflict with the actual disclosure of *Dickinson* and flatly inconsistent with the claims. Applicants respectfully request that this Honorable Board reverse the present rejections and direct issuance of the improperly rejected claims.

<div align="center">Claims 11 and 12</div>

Claims 11 and 12 each depend from claim 1 and are allowable for at least the aforementioned reasons. However, it is worth further noting that in each case, relative to the additional elements of the respective claims, the Office's theory of anticipation is premised on an errant interpretation of *Dickinson*. In each case, the Office leverages the term "filtering" (i.e., "filtering attachments" relative to claim 11 and "filtering specific words in the body of a message" relative to claim 12) to suggest that the applied reference *Dickinson* teaches modifying a package to remove one or more attached data files (claim 11) or modifying a message within the package (claim 12). Notwithstanding the initial appeal of the Office's position, it is flatly improper to interpret "filtering" (as used in *Dickinson*) in a way that is inconsistent with the actual disclosure of *Dickinson*. In particular, a more careful reading of *Dickinson* makes it clear that the term "filtering" is not used in a way consistent with selective removal of content from an individual object (a message in *Dickinson*) but rather refers to the identification of particular messages to which actions (e.g., deferral, quarantine, return to sender or dropping) are to be applied.

Accordingly, *Dickinson* does not include the disclosure attributed to it by the Office. Claims 11 and 12 are allowable for this reason as well.

Claims 13 and 14

Claims 13 and 14 each depend from claim 1 and are allowable for at least the aforementioned reasons. Likewise, as described relative to claims 11 and 12, the Office's theory of anticipation is premised on an errant interpretation of *Dickinson*. Relative to claims 13 and 14, the Office leverages the term "filtering" (i.e., "filtering based on date and time") to suggest that the applied reference *Dickinson* teaches "modifying the manner in which a package is to be delivered" (quoting claim 13) or "modifying data which specifies recipient actions which can be performed on the package after receipt by the recipient" (quoting claim 14). First, whatever *Dickinson* teaches relative to filtering based on date and time of message transmission, it neither discloses nor suggests any modification in the manner in which a package is to be delivered or the recipient actions which can be performed on the package after receipt by the recipient. Second, as before, a careful reading of *Dickinson* makes it clear that the term "filtering" is not used in a way consistent with selective modification of an individual object (a message in *Dickinson*) but rather refers to the identification of particular messages to which actions (e.g., deferral, quarantine, return to sender or dropping) are to be applied.

Accordingly, *Dickinson* does not include the disclosure attributed to it by the Office. Claims 13 and 14 are allowable for these reasons as well.

Claim 26

Finally, claim 26 depends from claim 1 and is allowable for at least the aforementioned reasons. However, relative to the additional recitation of claim 26, i.e., "further comprising[] computer instructions executable to facilitate the receipt of the package identification data from one of the recipients," given the absence of any disclosed mechanism in *Dickinson* by which package identification data is used by a recipient to facilitate retrieval of a corresponding package, it is hard to believe that *Dickinson* would disclose instructions executable to facilitate receipt of such package identification data from a recipient. The Office's assertion to the contrary not withstanding, *Dickinson* does not include such disclosure and claim 26 is allowable for this reason as well.

Ground 2:   Rejection of claim 5 under 35 U.S.C. § 103(a) as unpatentable over *Dickinson* in view of US Patent 5,627,764 to Schutzman et al. (hereinafter "*Schutzman*").

Claim 5

Claim 5 is rejected under 35 U.S.C. § 103(a) as unpatentable over *Dickinson* in view of *Schutzman*. The *Dickinson*-based rejection is unsustainable for at least the reasons articulated above with respect to claim 1. *Schutzman* does not provide the disclosure missing from *Dickinson* and, accordingly, no *prima facie* case of obviousness has been made out. *Schutzman* fails to disclose or suggest, alone or in combination with *Dickinson*, the combination of elements recited in either claim 1 or claim 5. Applicants respectfully request that this Honorable Board reverse the rejection and direct issuance of the improperly rejected claim.

Ground 3:   Rejection of claims 6 and 7 under 35 U.S.C. § 103(a) as unpatentable over *Dickinson* in view of *Schutzman* and further in view of US Patent 5,771,355 to Kuzma. (hereinafter "*Kuzma*").

Claims 6 and 7

Claims 6 and 7 are rejected under 35 U.S.C. § 103(a) as unpatentable over *Dickinson* in view of *Schutzman* and further in view of *Kuzma*. Again, the *Dickinson*-based rejection is unsustainable for at least the reasons articulated above with respect to claims 1 and 5. *Kuzma* does not provide the disclosure missing from *Dickinson* and *Schutzman*. Accordingly, no *prima facie* case of obviousness has been made out. *Kuzma* fails to disclose or suggest, alone or in combination with *Dickinson* and/or *Schutzman*, the combination of elements recited in claim 1, 5, 6 or 7. Applicants respectfully request that this Honorable Board reverse the rejection and direct issuance of the improperly rejected claims.
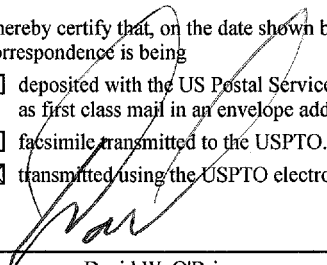
Ground 4:   Rejection of claim 23 under 35 U.S.C. § 103(a) as unpatentable over *Dickinson* in view of *Kuzma*.
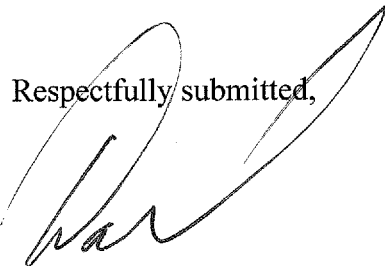
Claim 23

Finally, claim 23 is rejected under 35 U.S.C. § 103(a) as unpatentable over *Dickinson* in view of *Kuzma*. Again, the *Dickinson*-based rejection is unsustainable for at least the reasons articulated above with respect to claim 1. *Kuzma* does not provide the disclosure missing from *Dickinson*. Accordingly, no *prima facie* case of obviousness has been made out. *Kuzma* fails to disclose or suggest, alone or in combination with *Dickinson*, the combination of elements recited in either claim 1 or 23. Applicants respectfully request that this Honorable Board reverse the rejection and direct issuance of the improperly rejected claim.

CONCLUSION

For the at least the foregoing reasons, Appellants' presently claimed invention(s) are neither anticipated nor obvious to one of ordinary skill in the art under 35 U.S.C. § 103(a) in view of the applied prior art. Accordingly, this honorable Board is respectfully requested to reverse the rejections of claims 1-33 and 36-38 and to direct that such claims of the present application to be issued forthwith.

Respectfully submitted,

David W. O'Brien, Reg. No. 40,107
Attorney for Applicant(s)
(512) 338-6314
(512) 338-6301 (fax)

CLAIMS APPENDIX

1. A computer readable medium useful in association with a computer which includes a processor and a memory, the computer readable medium including computer instructions which are configured to cause the computer to assure adherence to a policy by a package to be delivered from a sender associated with an enterprise to one or more recipients through a computer network by:

> responsive to receipt of package data which is generated by the sender and which specifies the package, applying a policy to the package wherein the policy is specified by policy data received from a policy authority of the sender, the policy authority including a rule base associated with the sender enterprise;

> determining whether the policy permits delivery of the package; and

> upon a condition in which the policy permits delivery of the package, delivering the package by:

>> sending notification to the recipients wherein the notification includes package identification data; and

>> responsive to receipt of the package identification data from a particular one of the recipients, providing the particular recipient with access to the package.

2. The computer readable medium of Claim 1 wherein the policy applying comprises:

> determining that the package satisfies one or more conditions; and

> if the package satisfies the one or more conditions, performing one or more actions which are associated with the one or more conditions.

3. The computer readable medium of Claim 2 wherein the one or more actions include blocking delivery of the package.

4. The computer readable medium of Claim 2 wherein the one or more actions include blocking delivery of the package pending review of the package by the policy authority.

- 13 -

5. The computer readable medium of Claim 2 wherein the one or more actions include documenting the delivery of the package.

6. The computer readable claim of Claim 5 wherein the documenting of the delivery of the package includes storing a copy of the package.

7. The computer readable medium of Claim 5 wherein the documenting of the delivery of the package includes sending a copy of the package to a predetermined recipient.

8. The computer readable medium of Claim 2 wherein at least a-one of the actions notifies at least one predetermined recipient of one or more others of the actions.

9. The computer readable medium of Claim 8 wherein the predetermined recipient is the sender.

10. The computer readable medium of Claim 2 wherein the one or more actions include modifying the package.

11. The computer readable medium of Claim 10 wherein the modifying of the package includes removing one or more data files attached to the package.

12. The computer readable medium of Claim 10 wherein the modifying of the package includes modifying a message within the package.

13. The computer readable medium of Claim 10 wherein the modifying of the package includes modifying data which specifies the manner in which the package is to be delivered.

14. The computer readable medium of Claim 10 wherein the modifying of the package includes modifying data which specifies recipient actions which can be performed on the package after receipt by the recipient.

15. The computer readable medium of Claim 2 wherein one or more of the conditions include a boolean expression involving data related to the sender.

16. The computer readable medium of Claim 2 wherein one or more of the conditions include a boolean expression involving data related to one or more of the recipients.

17. The computer readable medium of Claim 2 wherein one or more of the conditions include a boolean expression involving data related to one or more attributes of the package.

18. The computer readable medium of Claim 1 wherein the package data is generated by the sender through a web browser.

19. The computer readable medium of Claim 18 wherein the package data includes HTML form data.

20. The computer readable medium of Claim 1 wherein the policy data is received from the policy authority through a computer network.

21. The computer readable medium of Claim 1 wherein the computer network includes the Internet.

22. The computer readable medium of Claim 1 wherein the notification is sent to the recipients as an SMTP e-mail message.

23. The computer readable medium of Claim 1 wherein the package identification data is supplied as part of a URL.

24. The computer readable medium of Claim 1 wherein the providing the particular recipient with access to the package in response to receipt of the package identification data includes transferring the package in connection with a hypertext transfer (HTTP) type protocol interaction.

- 15 -

25. The computer readable medium of Claim 1, further comprising:

computer instructions executable to facilitate the receipt of the sender-generated package data.

26. The computer readable medium of Claim 1, further comprising:

computer instructions executable to facilitate the receipt of the package identification data from one of the recipients.

27. A computer program product encoded in one or more computer readable media, the program product comprising:

instructions executable on one or more servers interposed between a sender and one or more recipients to apply a rule based policy associated with the sender's enterprise to a package to be delivered from the sender to one or more of the recipients,

the instructions further executable to determine whether the policy permits delivery of the package to a particular one of the recipients, and upon determination of a condition in which the policy permits delivery of the package, executable to initiate notification of the particular recipient, wherein the notification includes package identification data usable by the particular recipient to retrieve the package from at least one of the servers.

28. The computer program product of claim 27, further comprising:

a hypertext transfer protocol (HTTP) type interface for sender interaction with at least one of the servers; and

a simple mail transfer protocol (SMTP) type interface for supply of a notification message to the particular recipient.

29. The computer program product of claim 27,

wherein communications via at least one of the HTTP-type interface and the SMTP-type interface are secured using a secure socket layer (SSL) protocol.

30. A secure package delivery system comprising:

a service hosted on one or more servers and interposed between a sender and one or more recipients to apply a rule based policy associated with the sender's enterprise to a package to be delivered from the sender to one or more of the recipients; and

a policy manager of the service operable to determine whether the policy permits delivery of the package to a particular one of the recipients, and upon determination of a condition in which the policy permits delivery of the package, to initiate notification of the particular recipient; and

a delivery manager operable to transmit to the particular recipient a notification message that includes package identification data usable by the particular recipient to retrieve the package from the service.

31. The secure package delivery system of claim 30, further comprising:

an interface for communication with a policy authority for the sender's enterprise.

32. The secure package delivery system of claim 31, further comprising:

the policy authority.

33. The secure package delivery system of claim 30, further comprising:

a hypertext transfer protocol (HTTP) type interface for sender interaction with the service; and

a simple mail transfer protocol (SMTP) type interface for supply of the notification message to the particular recipient.

36. The computer readable medium of claim 1, wherein the particular recipient is not associated with the sender enterprise.

37. The computer program product of claim 27, wherein the particular recipient is not associated with the sender enterprise.

38. The secure package delivery system of claim 30, wherein the particular recipient is not associated with the sender enterprise.

39. A method comprising:

at a server interposed between a sender and one or more intended recipients of an
electronically encoded information package, applying a rule based policy
associated with the sender's enterprise to the package;

determining whether the policy permits delivery of the package to a particular one of the
recipients; and

upon determination of a condition in which the policy permits delivery of the package,
initiating notification of the particular recipient, wherein the notification includes
package identification data usable by the particular recipient to retrieve the
electronically encoded information.

40. The method as in claim 39, further comprising:

allowing the particular recipient to retrieve the electronically encoded information using
the package identification data.

41. The method as in claim 39,

wherein the interposed server is not within the sender's enterprise.

EVIDENCE APPENDIX

There is no evidence submitted pursuant to 37 C.F.R. § 1.130, 1.131, or 1.132 or any other evidence entered by the examiner and relied upon by appellant in the appeal.

RELATED APPEALS APPENDIX

There are no decisions rendered by a court or the Board in any proceeding identified above in the Related Appeals and Interferences section.

127-0007-2 appeal brief.doc